

1 A. He was.

2 Q. Didn't he become county administrator in
3 December 2013?

4 A. Not that I know of. He was county
5 administrator then.

6 Q. In December 2013?

7 A. Yes. He was county administrator in
8 December. I'm looking at my dates. December '13.
9 Yes.

10 Q. When did he become the county
11 administrator; Mr. Thompson?

12 MR. WOLF: Objection. Asked and
13 answered.

14 A. When they hired him in December 2013.
15 Isn't that what you just said?

16 Q. (Mr. Tanner) All right. So in December of
17 2013 -- no. What you said, sir, was that he was the
18 county administrator then. My question was more
19 narrow. When did they name him county administrator?
20 But now you're saying December 2013?

21 A. They hired him, it was in the month of
22 December, I believe.

23 Q. Of 2013?

24 A. I believe it was.

25 Q. All right. He was arrested February 12th

1 of 2014, right?

2 A. That's correct.

3 Q. That's only a month and a half, two months,
4 right?

5 A. That's correct.

6 Q. So this disagreement that y'all had had to
7 have occurred in only a two-month span at most,
8 right?

9 A. I mean, December, February. He was hired
10 in December. He was arrested what, in February?
11 Yeah.

12 Q. All right. So would you quarrel with me if
13 I said that this disagreement that y'all had in
14 Michael Thompson's office, county office, occurred
15 either the last week of January or the first week of
16 February 2014?

17 A. I don't recall. I know it was probably --
18 had to be in January sometime.

19 Q. January of 2014?

20 A. I suppose. Yes, sir.

21 Q. All right. And less than a month after
22 that Michael Thompson was arrested when you called
23 Montgomery County and was told that he had a warrant?

24 A. Michael Thompson's arrest came upon the
25 background checks of driver's licenses that raised a

1 flag that he had a warrant in Montgomery County. It
2 didn't have anything to do with me, sir.

3 Q. Okay. When was it that Captain James Jones
4 told you that Michael Thompson's license was
5 suspended?

6 A. It probably -- the evening of the 11th or
7 the morning of the 12th and I called to ask about did
8 he have a warrant in Montgomery County. As sheriff,
9 yes, I called.

10 Q. Was Michael Thompson the county
11 administrator when you initiated your investigation
12 of his business dealings with Alex Wiley?

13 A. No, sir. He wasn't county administrator
14 then.

15 Q. Okay. At that time he was in what
16 position?

17 A. Auditor. It was during the end of that
18 year, he was auditor, a lot of flags were being
19 raised. I have to reflect back on my records.
20 Because the contract -- Thompson was hired in
21 December and the contract was given in December or
22 January to his business partner and citizens of the
23 county raised concerns that Wiley was his brother.

24 Q. All right. Do you know who these citizens
25 were?

1 A. I have to look at my notes or reflect on
2 that.

3 Q. Okay. Let's stop right here. Earlier you
4 said you were looking into whether Michael Thompson
5 had given a contract to his brother, right?

6 A. Uh-huh (Indicating yes).

7 Q. You have to answer verbally.

8 A. Yes.

9 Q. And the concern or question was that Alex
10 Wiley was Michael Thompson's brother?

11 A. Brother or business partner. And that's
12 when we looked at the website and saw the Thompson
13 and Wiley business consulting firm that they had
14 together showing Wiley being the CEO of the company
15 and Thompson being a partner and officer of the
16 company.

17 Q. When was that company created?

18 A. I don't know, sir. It's a long list of --
19 it's a bucket list of things. I mean, I have to
20 refer you to the notes.

21 Q. All right. Now, do you manage any
22 detectives?

23 A. I do.

24 Q. Did you ever work as a detective?

25 A. I do -- I did.

1 Q. So you've conducted investigation?

2 A. I'm a law enforcement officer, sir. I have
3 no limits.

4 Q. I believe you, sir. My question though is
5 whether you've conducted any investigations?

6 A. I have. A number of them.

7 Q. And you know in order to do an
8 investigation well you have to be very thorough?

9 A. Absolutely.

10 Q. You have to be very detail oriented, right?

11 A. Absolutely.

12 Q. You have to make sure T's are crossed and
13 I's are dotted; is that right?

14 A. That's correct.

15 Q. All right. When you travel on documents,
16 for example, you have to make sure that those
17 documents are valid and truthful, right?

18 A. That's correct.

19 Q. Otherwise, you could make mistakes if you
20 travel on invalid or untruthful documents; is that
21 right?

22 A. Human error will occur.

23 Q. How many times did you discuss with
24 Mr. Thompson his idea to cut your budget?

25 A. I only had one conversation with

1 Mr. Thompson.

2 Q. Did you discuss --

3 A. I did not discuss anything. Mr. Thompson
4 wanted to talk about budgets and I did not go there
5 with him because I know who is in charge of my
6 budget. That's the sheriff have the exclusive
7 authority and I deal with the board of supervisors
8 who have the authority to increase or decrease the
9 budget at any given time. And the law and statutes
10 support me.

11 Q. Did you follow up with anybody, sir, about
12 whether Mr. Thompson -- you know, did you report that
13 to anybody, that you --

14 A. I don't have to. I didn't have to. No,
15 sir.

16 Q. The question is whether you did, not
17 whether you had to. Did you discuss with anybody
18 your conversation with Mr. Thompson wherein you say
19 he brought up your budget?

20 A. No, sir.

21 Q. Did you ever hear from anyone other than
22 Mr. Thompson that Mr. Thompson was proposing cutting
23 your budget?

24 A. No, sir.

25 Q. All right. Do you know whether -- so you

1 had no clue other than this one conversation with
2 Mr. Thompson that he had proposed to the board budget
3 cuts?

4 A. That was it.

5 Q. Okay.

6 A. Which didn't have anything to do with my
7 office.

8 Q. Excuse me?

9 A. Which didn't have anything to do with my
10 office. I have to submit my own budget according to
11 the law, not the county administrator. So I had that
12 knowledge. He did not. So that's why I didn't take
13 that conversation up with him.

14 Q. Do you know what exactly the county
15 administrator's job is?

16 A. His job is to oversee the county operations
17 for the board of supervisors.

18 Q. Do you know if part of his job entails
19 giving advice to the board of supervisors?

20 A. Yes. He give advice to the board of
21 supervisors. Yes, sir.

22 Q. Do you know if he reports to the board of
23 supervisors?

24 A. As county administrator job description,
25 his job is to report to the board of supervisors.

1 That's who he work for.

2 Q. And who is it that determines your budget,
3 sir?

4 A. The board of supervisors.

5 Q. And in order to get a budget approved, what
6 do you have to do, sir?

7 A. I create my budget as sheriff, my itemized
8 expenses. I meet with my board of supervisors and I
9 present that budget to the board of supervisors, not
10 the county administrator.

11 Q. And then what do the county administrators
12 do at that point?

13 A. I guess he do what the board of supervisors
14 ask him to do.

15 Q. Once you present your proposed budget to
16 the county board of supervisors, what does the county
17 board of supervisors do with that proposed budget
18 that you give them?

19 A. In an open meeting they approve to adopt or
20 they can do a reduction in an open meeting voted upon
21 by all five members of the board, not the county
22 administrator.

23 Q. But the county administrator's job is to
24 advise them?

25 A. Advise them. I have no idea -- I don't

1 want to confuse -- what I'm trying to tell you, I
2 don't have no idea of the mechanics of the board of
3 supervisors' conversation with the county
4 administrator. I can tell you what my job is as far
5 as having authority over the sheriff's office and
6 producing the budget to the county board.

7 Q. Do you have authority over the Tunica
8 County jail?

9 A. I do, sir.

10 Q. Okay. All right. So tell us what an
11 appearance bond is. Do you know what an appearance
12 bond is?

13 A. An appearance bond or a release on own
14 recognizance bond?

15 Q. Both. Do you know what either of those
16 terms mean?

17 A. Yes, sir. Ensure that that person,
18 arrestee, will appear in court after they make bond.

19 Q. Do you have the authority to issue bonds?

20 A. I have the authority to release a person on
21 their own recognizance. I don't issue bonds or set
22 bonds. The court sets bonds.

23 Q. Okay. And on what kind of cases do you
24 have the authority to release people on their own
25 recognizance?

1 A. Come again with that question.

2 Q. In what circumstances do you have the
3 authority to release people on their own
4 recognizance?

5 A. When I feel that I can vouch for that
6 person to appear in court.

7 Q. On any kind of case?

8 A. Most of them are misdemeanor cases. Yes,
9 sir.

10 Q. Driving on a suspended license, is that a
11 misdemeanor?

12 A. Yes, it is.

13 Q. Now, when you say -- in response to my
14 question about whether you have the authority to
15 issue -- to allow people to be released on their own
16 recognizance, you said that, you know, based on
17 whether you think the person will appear for court;
18 is that fair?

19 A. Yes.

20 Q. What do you look at to determine that?

21 A. If a person calls and asks me, if they need
22 some type of assistance or cannot afford a bond and a
23 family member or so asks me can I help them, I would
24 in the past, I will release someone on their own
25 recognizance and assure that they appear in court.

1 Q. Do you consider any other factors of
2 whether somebody should be released on their own
3 recognizance?

4 A. It depends on who asks me on a case-by-case
5 basis.

6 Q. On a case-by-case basis, what factors do
7 you look at?

8 A. Whether or not I know that person, and if
9 they reside here and I can vouch for them that they
10 will appear in court.

11 Q. Do you consider their criminal history or
12 lack thereof?

13 A. I have and have not. That's a two-part
14 answer. I have and have not. Depends on if I have
15 knowledge of the person.

16 Q. Okay. So if somebody has an aggravated
17 assault or a felony fleeing in their past, you
18 wouldn't consider them any different than a person
19 who does not in terms of whether you would give them
20 a bond or release them on their own recognizance?

21 A. I have released people on their own
22 recognizance that have had a background or a prior
23 arrest. I have. It has been considered. Yes, sir.

24 Q. Okay. Did you give Mr. Thompson -- did you
25 release Mr. Thompson on his own recognizance?

1 A. I did not. Because Mr. Thompson, it was
2 told to me that Mr. Thompson said that he felt ill
3 and my officers called the EMS on property to check
4 him out. I think it was reported to me that he was
5 okay and vitals checked out to be fine or something.
6 But by him saying that he was ill, they were
7 instructed to take him to the doctor, to the
8 hospital.

9 Q. Uh-huh (Indicating yes). So if you
10 released him on -- when you release somebody on their
11 own recognizance, all you're doing is saying that
12 they can be released, right?

13 A. Yes. And they sign -- they pay a \$25 jail
14 fee. They have to pay a \$25 jail fee.

15 Q. All right. But you released -- you
16 authorized them to be released on their own
17 recognizance first; is that right?

18 A. Right.

19 Q. But they're not going to be released until
20 they sign and pay the \$25 fee.

21 A. That's correct.

22 Q. All right.

23 A. Unless they are a pauper or something like
24 that, or indigent, you know.

25 Q. Sure.

1 A. Yes.

2 Q. But in this case you didn't authorize
3 Michael Thompson to be released, regardless of his
4 health condition, you didn't authorize him to be
5 released on his own recognizance?

6 A. Not at that point because Mr. Thompson
7 said -- number one, it wasn't asked. Well,
8 Mr. Pittman said that we need to release him. I
9 spoke with him on the phone.

10 Q. When you say him, who do you mean?

11 A. Michael Thompson. And it was told to me
12 that he was sick, we wanted to get the paramedics to
13 check him out, get him to a doctor with the fear of
14 him saying that he was not provided medical
15 attention. So it was a good faith effort that we had
16 him to go to be checked out by a licensed physician.

17 Q. Did you ever release him on his own
18 recognizance?

19 A. No. He paid a bond.

20 Q. Isn't that something you normally do in
21 these situations?

22 A. I normally would do it.

23 Q. But you didn't in this one?

24 A. Number one, I wasn't asked. I was never
25 asked for a recognizance. In the past there have

1 been citizens that have been arrested who have asked
2 for a recognizance, I have. Two, I wasn't asked.
3 Three, Mr. Pittman was the county attorney, who is
4 now deceased, he came in and represented in such a
5 fashion for Mr. Michael Thompson. So it's safe to
6 say he helped cloud the water of the arrest.

7 Q. What does that mean?

8 A. That means that I have video and audio of
9 Mr. Pittman telling Michael Thompson in so many words
10 he needs to come by his home so he could, I guess,
11 prepare to sue the county.

12 Q. So because Mr. Thompson hired a lawyer --

13 A. He did not hire a lawyer. Our county
14 attorney came up here representing him. He acted as
15 though he was his representative. And it's all on
16 tape. We have a video of that.

17 Q. Because Mr. Thompson -- I mean, Mr. Pittman
18 came up and talked to him. Do you know if there's
19 anything preventing Mr. Pittman from representing
20 Mr. Thompson in any way?

21 A. Yes.

22 Q. What?

23 A. A conflict of interest. He's the county
24 administrator and he's the -- he was the county
25 attorney, which he cannot solely come and represent

1 the county administrator without acting on the
2 authority of the board of supervisors at that point
3 in time, all members.

4 Q. You're Mr. Calvin Hamp, sheriff of Tunica
5 County, are you not?

6 A. Right.

7 Q. And you are at the same time separately,
8 right?

9 A. Right.

10 Q. Mr. Calvin Hamp, the individual, that has
11 nothing to do with Tunica County; is that right?

12 A. Right. You can call me Kacey.

13 Q. That's fair. Now, that same principle
14 applies to Michael Thompson. He's the county
15 administrator but he's also a private human being,
16 right?

17 A. Right.

18 Q. Private citizen of this country, right?

19 A. Right.

20 Q. As was Ellis Pittman. He was the county
21 attorney but he's also a private individual, right?

22 A. Right.

23 Q. All right. If Ellis Pittman thought that
24 whatever had been done by Mr. Jones or what have you
25 was outside of him acting in his capacity with the

1 county, he could have come to the jail and advised
2 Mr. Thompson; is that right?

3 MR. WOLF: Objection. Calls for a
4 conclusion of law and an ethics opinion.

5 MR. TANNER: That's fair.

6 Q. (Mr. Tanner) All right. So my question
7 here is whether -- in what way did Mr. Pittman's
8 involvement in Mr. Thompson's case impact your
9 decision to give Mr. Thompson a bond or release him
10 on his own recognizance?

11 A. I guess what I received from the office,
12 his conduct when he got here, I guess I believe then
13 he was threatening to get the media involved or
14 something like that, acting as though he was
15 representing him, telling him to come by his office
16 or his house when he make bond, he is going to refer
17 him to a lawyer. That's what we picked up on audio
18 and video.

19 Q. So what he said was that he was going to
20 refer him to a lawyer?

21 A. That's what we picked up on audio and
22 video.

23 Q. That Mr. Pittman said he was going to refer
24 him to a lawyer, not that he was going to represent
25 him?

1 THE WITNESS: Do you mind if I read my
2 document?

3 MR. WOLF: No. Just answer. If you
4 can't recall you can't recall.

5 A. I can't recall. But he showed up in a
6 fashion representing Michael Thompson.

7 Q. (Mr. Tanner) All right. And so based on
8 whatever fashion you're referring to, you thought
9 that something that weighed against your releasing
10 Michael Thompson on his --

11 A. Nothing weighed against my releasing him.
12 I was never asked to. And when a man says that he's
13 sick, our job is to provide healthcare for the guy,
14 whomever get arrested. Even today if someone in the
15 jail say, hey, they feel bad, our policy is they need
16 to call the EMTs over to check the person out. If
17 that person needs to be transported to the doctor, we
18 transport them to the doctor.

19 Q. Okay. So it was your department that
20 actually had Michael Thompson transported to a
21 medical facility?

22 A. That's correct. Based upon him -- we
23 didn't want to refuse the man medical treatment once
24 he said that -- and that's with anybody back there
25 again. A person says they're sick we're not going to

1 refuse them medical treatment. We're going to call
2 the ambulance service over to see would they
3 transport the person. I'm not going to give no
4 specific name of the ambulance service because they
5 do change up.

6 Q. Sure.

7 A. But if one say he or she is sick, then
8 their responsibility of the jail is to call the
9 emergency medical service out, the responsibility of
10 the jail is to call the emergency medical service
11 group out to care for the person as well as check
12 their vitals and see what's going on with them. If
13 that person needs to be transported, then they have
14 to transport that person. That particular night,
15 Michael Thompson was not transported and officers
16 took him to the hospital.

17 Q. The officers took him to the hospital?

18 A. Right. I think the officer took him to the
19 hospital.

20 Q. Which officer was this?

21 A. The transportation officer -- well, it was
22 the warrant officer at the time. The warrant
23 officer. If my memory serve me correctly, it was
24 Lieutenant Hobson transported him to Baptist DeSoto
25 Hospital. That would have affected him bonding right

1 out then because he said he was sick.

2 Q. Okay.

3 A. So we wanted to make sure that he was seen
4 by a licensed physician, a doctor.

5 Q. Okay. But you didn't call the ambulance,
6 right?

7 A. They called the ambulance. When he said he
8 was sick they called. And the ambulance reported on
9 the property. Emergency medical service reported on
10 the property. They checked him out and checked his
11 vitals, what have you.

12 Q. But then you still felt it necessary to
13 take him to the hospital even though the --

14 A. He said he continued to feel bad after the
15 booking process was taking place and they transported
16 him to the hospital.

17 Q. Okay. This lieutenant who transported him
18 to the hospital, is this a licensed medical
19 professional?

20 A. No. He's not a licensed medical
21 professional, but we do transport people to the
22 hospital.

23 Q. Is he an EMT or somebody, something like
24 that, the transport officer?

25 A. No, he's not.

1 Q. How long was Mr. Thompson in your jail,
2 sir?

3 A. I don't know. It wasn't long. Because
4 most of the time was spent at the hospital that
5 morning. And when he came they finished processing,
6 he bond right out. So he wasn't in the jail long.
7 After the arrest was affected, Mr. Thompson was --
8 shortly after he was transported to the hospital
9 because he say he felt bad. All that time Michael
10 Thompson was at the hospital, Baptist DeSoto
11 Hospital. When he came back he made his bond.

12 Q. Who did he tell that he felt bad at the
13 jail?

14 A. Whatever officer was on duty, sir. I can't
15 recall.

16 Q. Do you know who's your cell phone provider
17 for your county-issued phone?

18 A. It was C Spire.

19 Q. C Spire?

20 A. Uh-huh (Indicating yes).

21 Q. Is it still C Spire?

22 A. Yes. Been having the same number forever.
23 We haven't changed.

24 Q. All right. Now, the fleet safety
25 management policy, did the county adopt that policy?

1 A. It's through our insurance company.
2 Everybody have to adopt it. It's through the
3 insurance company. Everybody have to be in line with
4 the fleet safety policy for liability purposes.

5 Q. And that was in place before you got here?

6 A. Oh, yes.

7 Q. So when you were a deputy, for example,
8 that policy was in place?

9 A. Yes. We had to turn in our license to be
10 ran when the sheriff -- even before I was hired, had
11 to run checks on everyone's license. After I was
12 elected I took a step farther to get license and
13 insurance.

14 Q. You did what now?

15 A. Took it a step farther to get license and
16 insurance. I mean, knowing personnel would report
17 here that didn't have a valid insurance card, whether
18 it be a deputy or a civilian, if we're going to
19 enforce the law we enforce the law to everyone.

20 MR. TANNER: Mr. Wolf, I pass the
21 witness.

22 EXAMINATION

23 BY MR. WOLF:

24 Q. Just one quick question. The requirement
25 of a license and insurance, is that in the sheriff's

1 department only or is it county wide?

2 A. License and insurance with both sworn and
3 civilian is in the sheriff's office only. But the
4 driver's license check with all other county
5 personnel that operate county vehicles under safety
6 management is only their personnel and only their
7 driver's license.

8 MR. WOLF: No further questions.
9 Thank you. You're done.

10 (Deposition concluded at 3:36 p.m.)
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C E R T I F I C A T E

STATE OF MISSISSIPPI)

COUNTY OF LEE)

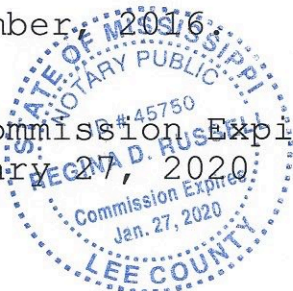
RE: ORAL DEPOSITION OF SHERIFF CALVIN K. HAMP, SR.

I, Regina D. Russell, RPR, CCR 1110, a Notary Public within and for the aforesaid county and state, duly commissioned and acting, hereby certify that the foregoing proceedings were taken before me at the time and place set forth above; that the statements were written by me in machine shorthand; that the statements were thereafter transcribed by me, or under my direct supervision, by means of computer-aided transcription, constituting a true and correct transcription of the proceedings; and that the witness was by me duly sworn to testify to the truth and nothing but the truth in this cause.

I further certify that I am not a relative or employee of any of the parties, or of counsel, nor am I financially or otherwise interested in the outcome of this action.

Witness my hand and seal on this 10th day of December, 2016

My Commission Expires: CCR 1110
January 27, 2020 Notary Public



Regina D. Russell

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION

MICHAEL THOMPSON PLAINIFF
VS. NO. 3:14cv274NBB-SAA
CALVIN HAMP, ET AL DEFENDANTS

CERTIFICATE

I, SHERIFF CALVIN K. HAMP, SR., have read the
foregoing pages, 1-72, of the transcript of my
deposition given on November 29, 2016, and it is
true, correct and complete to the best of my
knowledge, recollection and belief except for the
list of corrections, if any, attached on a separate
sheet herewith. Witness my hand, this the
_____ day of _____, 2016.

SHERIFF CALVIN K. HAMP, SR.

CERTIFICATE

Subscribed and sworn to before me, this the
_____ day of _____,
2016.

Notary Public in and for the
County of _____
State of Mississippi
My Commission
Expires: _____

